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FILED CLERK, U.S. DISTRICT COURT
06/25/2024
CENTRAL DISTRICT OF CALIFORNIA
BY: <u>L.K.</u> DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES FITZGERALD
BRANCH,

Defendant.

Case No. 24-MJ-1650
ORDER OF DETENTION

I.

On June 25, 2024, Defendant made his initial appearance on the Complaint filed in this case. Greg Nicolaysen, a member of the Indigent Defense Panel, was appointed to represent Defendant, subject to an order of contribution. The Defendant submitted on the recommendation of detention in the report prepared by Probation and Pretrial Services.

On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly involving a narcotics or controlled substance offense with maximum sentence of ten or more years.

On motion by the Government or on the Court's own motion [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the defendant will flee.

The Court concludes that the Government is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community [18 U.S.C. § 3142(e)(2)].

II.

The Court finds that no condition or combination of conditions will reasonably assure: the appearance of the defendant as required.

the safety of any person or the community.

III.

The Court has considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and (d) the nature and seriousness of the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also

1 considered the report and recommendation prepared by United States Probation
2 and Pretrial Services.

3
4 IV.

5 The Court bases its conclusions on the following:

6 As to risk of non-appearance:

7 Defendant is a sentenced federal prisoner who is being charged with
8 escape from federal custody.

9
10 As to danger to the community:

11 Defendant is a sentenced federal prisoner who is being charged with
12 escape from federal custody

13
14 V.

15
16 The defendant will be committed to the custody of the Attorney General for
17 confinement in a corrections facility separate, to the extent practicable, from
18 persons awaiting or serving sentences or being held in custody pending appeal.
19 The defendant will be afforded reasonable opportunity for private consultation
20 with counsel. On order of a Court of the United States or on request of any
21 attorney for the Government, the person in charge of the corrections facility in
22 which defendant is confined will deliver the defendant to a United States Marshal
23 for the purpose of an appearance in connection with a court proceeding.

24 [18 U.S.C. § 3142(i)]

25
26 Dated: June 25, 2024

27
28 /s/

ALKA SAGAR
UNITED STATES MAGISTRATE JUDGE